

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 Jeffrey Lynn Franklin,

5 Petitioner

6 v.

7 Jerry Howell, et al.,

8 Respondents

Case No.: 2:18-cv-00444-JAD-NJK

Order

9 Pro se petitioner and adjudicated habitual criminal Jeffrey Lynn Franklin is serving a 10-
10 year sentence the Three Lakes Valley Conservation Camp.¹ He petitions for a writ of habeas
11 corpus under 28 U.S.C. § 2254 and argues that he was denied effective assistance of appellate
12 counsel.² Franklin failed to pay the \$5.00 filing fee or apply for leave to proceed *in forma*
13 *pauperis* when he initiated this action, so I gave him one month to do one of those things.³ I also
14 informed Franklin that, if he chose to file a pauper application, the application must be complete
15 and include “a signed financial certificate and a statement of his inmate account for the last six
16 months.”⁴ Franklin has since filed a pauper application, but it is on the wrong form and lacks the
17 financial documents that I told him to include.⁵ Nevertheless, I will give Franklin one last
18 chance to file a fully complete pauper application or pay the \$5.00 filing fee.

19 Accordingly, IT IS HEREBY ORDERED that Franklin’s application for leave to proceed
20 *in forma pauperis* [ECF No. 6] is **DENIED without prejudice.**

21 IT IS FURTHER ORDERED that Franklin **has until June 11, 2018, to either: (a) file a**
22 **FULLY COMPLETE application for leave to proceed *in forma pauperis* that INCLUDES a**

23 ¹ ECF No. 1-1 at 2; NEV. DEP’T OF CORR. (May 9, 2018) <http://doc.nv.gov/Inmates/Home/>
24 (inmate search by name Jeffrey Franklin or offender ID 94922).

25 ² ECF No. 1-1 at 4.

26 ³ ECF No. 5.

27 ⁴ *Id.*

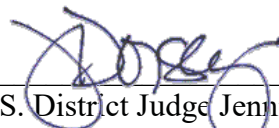
28 ⁵ ECF No. 6.

1 signed financial certificate and a statement of his inmate account for the last six months;
2 **OR (b) pay the \$5.00 filing fee.**

3 If Franklin fails to do either of these things by this court-ordered deadline, **his case will**
4 **be DISMISSED without further prior notice.**

5 The **Clerk of Court** is directed to **SEND to Franklin** a blank pauper application form
6 for incarcerated litigants.

7 Dated: May 14, 2018

8 
9 U.S. District Judge Jennifer A. Dorsey